

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS,)	
)	
Plaintiff,)	
)	
v.)	
)	
EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION, et al.,)	
)	
Defendants.)	Civil Action No. 5:13-CV-255-C

JUDGMENT

By order of even date, the Court granted in part and denied in part the parties' Motions for Summary Judgment. For the reasons stated in that order,

IT IS ORDERED, ADJUDGED, AND DECREED, pursuant to 5 U.S.C. § 702, that the EEOC's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII" is a substantive rule issued without notice and the opportunity for comment. Defendants EEOC and the Attorney General of the United States (in any enforcement action against the State of Texas) are **ENJOINED** from enforcing the EEOC's interpretation of the Guidance against the State of Texas until the EEOC has complied with the notice and comment requirements under the APA for promulgating an enforceable substantive rule.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the State of Texas's remaining requests for declaratory and injunctive relief are all **DISMISSED**.

Signed this 1st day of February, 2018.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE